

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MONET BEY, et al. : CIVIL ACTION
: :
v. : :
: :
CITY OF PHILADELPHIA, et al. : NO. 10-635

ORDER

AND NOW, this 21st day of December, 2010, upon
consideration of the Pennsylvania Society for the Prevention of
Cruelty to Animals' ("PSPCA") motion for summary judgment (docket
entry # 19), the City Defendants' motion for summary judgment
(docket entry # 20), plaintiffs' response to the City Defendants'
motion for summary judgment (docket entry # 21), plaintiffs'
response to the PSPCA's motion for summary judgment (docket entry
22), plaintiffs' motion to amend the complaint (docket entry #
23), and the City Defendants' motion for leave to file a reply
brief in further support of its motion for summary judgment
(docket entry # 24), and in accordance with the accompanying
memorandum, it is hereby ORDERED that:

1. The City Defendants' motion for summary judgment as
to Count I (docket entry # 20) is GRANTED;
2. The City Defendants' motion for leave to file a
reply brief (docket entry # 24) is GRANTED;

3. The Clerk of Court shall DOCKET the City of Philadelphia's reply brief, which is attached to its motion as Exhibit 1;

4. Pursuant to 28 U.S.C. § 1367(c), we DECLINE to exercise our supplemental jurisdiction over the remaining state law claims;

5. Because we decline to exercise our supplemental jurisdiction, the PSPCA's motion for summary judgment (docket entry # 19) is DENIED WITHOUT PREJUDICE;

6. Plaintiffs' motion to amend the complaint (docket entry # 23) is DENIED AS MOOT; and

7. The Clerk of Court shall CLOSE this case statistically.

BY THE COURT:

____\s\Stewart Dalzell